

FILED

AUG 02 2021

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CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY DEPUTY CLERK

Pro se

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

Fernando Gastelum,

Plaintiff,

Case No.: 1:21-cv-01164-NONE-JLT

vs.

**COMPLAINT
RECEIVED**

Northwest Target LLC c/o Ryan LLC
dba Ross Dress for Less Bakersfield,

AUG 02 2021

Defendant.

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY DEPUTY CLERK

I. STATEMENT OF CLAIM

1. My name is Fernando Gastelum. I am 61 years old. I am missing a leg and use a wheelchair for mobility.
2. Defendant owns or operates a store at 9000 Rosedale Hwy, Bakersfield, California 93312 (Defendant).
3. I visited there on July 1, 2021.
4. When I came there, I noted that it was not compliant with the Americans with Disabilities Act and the California's civil rights laws and California disabled person's law:

- a. Protruding objects reduce clear width of accessible routes between rows of merchandising displays. This condition makes it more difficult for me to mov between the rows of merchandise and shop.
 - b. Clear width of accessible routes less than 32 inches between rows of merchandising displays. This condition makes it more difficult for me to mov between the rows of merchandise and shop.
 - c. Restroom door requires greater than 5 lbs of force to open This condition makes it more difficult for me to open the restroom door to use the facility.
 - d. Restroom door requires twisting of the wrist. This condition makes it difficult for me to open the bathroom door because it is more difficult to twist the wrist from a sitting position.
5. I was denied equal access Defendant because Defendant does not comply with the ADA and California's civil rights law.
 6. I will not return back to Defendant's place until it becomes fully compliant with federal and state disability laws.

II. RELIEF I REQUEST

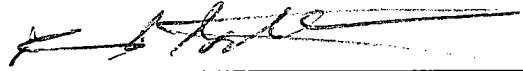
1. Order Defendant business to comply with the ADA and California civil rights law or close it.
2. Order Defendant to pay my cost and expenses. If I retain a lawyer, then also my lawyer's fees.
3. Damages under California law for \$4,000 per violation for a total to be determined at a hearing.

1 4. Other relief that I am entitled to.

2 **III. REQUEST FOR JURY TRIAL**

3 I request a jury trial.

4 DATED this 27th day of July, 2021.

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Fernando Gastelum